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FIFTY-EIGHTH LEGISLATURE

FORTY-SEVENTH LEGISLATIVE DAY
FRIDAY, FEBRUARY 25, 2005

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 10:30 a.m.

Roll call showed all members present except Senator Broadsword, absent and formally excused by the Chair; and Senators Burkett, Cameron, and Pearce, absent and excused.

Prayer was offered by Chaplain Don Hardenbrook.

The Pledge of Allegiance was led by Chert Griffith, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 24, 2005, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 25, 2005

The JUDICIARY AND RULES Committee reports that **S 1162** has been correctly printed.

DARRINGTON, Chairman

S 1162 was referred to the Finance Committee.

February 25, 2005

The HEALTH AND WELFARE Committee reports out **S 1143** with the recommendation that it do pass.

COMPTON, Chairman

S 1143 was filed for second reading.

February 25, 2005

The FINANCE Committee reports out **S 1162** with the recommendation that it do pass.

CAMERON, Chairman

S 1162 was filed for second reading.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 24, 2005

Mr. President:

I transmit herewith **H 120**, **H 95**, **H 96**, and **H 149** which have passed the House.

JUKER, Chief Clerk

H 120, **H 95**, **H 96**, and **H 149** were filed for first reading

February 24, 2005

Mr. President:

I return herewith **S 1032** and **S 1033** which have passed the House.

JUKER, Chief Clerk

S 1032 and **S 1033** were referred to the Judiciary and Rules Committee for enrolling.

February 24, 2005

Mr. President:

I transmit herewith Enrolled **HCR 7**, **HJM 1**, and **HJM 2** for the signature of the President.

JUKER, Chief Clerk

The President Pro Tempore signed Enrolled **HCR 7**, **HJM 1**, and **HJM 2** and ordered them returned to the House.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

**Introduction, First Reading and Reference of Bills,
House Petitions, Resolutions, and Memorials**

Senator Burkett was recorded present at this order of business.

H 120, by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 95 and **H 96**, by Judiciary, Rules, and Administration Committee, were introduced, read the first time at length, and referred to the Judiciary and Rules Committee.

H 149, by State Affairs Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

S 1100 and **S 1135**, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

S 1140, by Health and Welfare Committee, was read the second time at length and filed for third reading.

S 1153, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

H 103, by Local Government Committee, was read the second time at length and filed for third reading.

S 1036, as amended, and **S 1068**, as amended, by Judiciary and Rules Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Senators Cameron and Pearce were recorded present at this order of business.

President Pro Tempore Geddes called Senator Richardson to the Chair.

H 126 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Stegner arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator McGee disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES--Andreason, Brandt, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Noble, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 34.

NAYS--None.

Absent and excused--Broadsword. Total - 1.

Total - 35.

Whereupon the Acting President declared **H 126** passed, title was approved, and the bill ordered returned to the House.

S 1084 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Corder arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Brandt, Bunderson, Burkett, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Gannon, Geddes, Goedde, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, Marley, McGee, McKenzie, Noble, Pearce, Richardson, Schroeder, Stegner, Stennett, Sweet, Werk, Williams. Total - 34.

NAYS--None.

Absent and excused--Broadsword. Total - 1.

Total - 35.

Whereupon the Acting President declared **S 1084** passed, title was approved, and the bill ordered transmitted to the House.

S 1110 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator McGee arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Brandt, Bunderson, Burtenshaw, Cameron, Coiner, Compton, Corder, Darrington, Davis, Geddes, Goedde, Hill, Keough, Langhorst, Lodge, Marley, McGee, McKenzie, Noble, Pearce, Richardson, Sweet, Williams. Total - 23.

NAYS--Andreason, Gannon, Jorgenson, Kelly, Little, Malepeai, Schroeder, Stegner, Stennett, Werk. Total - 10.

Absent and excused--Broadsword, Burkett. Total - 2.

Total - 35.

Whereupon the Acting President declared **S 1110** passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Stegner, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills.

On request by Senator Stegner, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Stegner, seconded by Senator Stennett, by voice vote the Senate adjourned at 11:45 a.m. until the hour of 10:30 a.m., Monday, February 28, 2005.

ROBERT L. GEDDES, President Pro Tempore

Attest: JEANNINE WOOD, Secretary